

45th District Court

## Case Summary

Case No. 2022CI13502

**EXHIBIT B****5:22-cv-837**

Brittany Edwards VS Merit Logistics LLC

§  
§  
§Location: **45th District Court**  
Judicial Officer: **45th, District Court**  
Filed on: **07/19/2022**

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Case Information

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Case Type: OTHER INJURY OR  
DAMAGECase Status: **07/19/2022 Pending**

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Assignment Information

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**Current Case Assignment**Case Number 2022CI13502  
Court 45th District Court  
Date Assigned 07/19/2022  
Judicial Officer 45th, District Court

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Events and Orders of the Court

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07/19/2022 New Cases Filed (OCA)  
07/19/2022 PETITION  
*and Jury Demand*  
07/19/2022 REQUEST FOR SERVICE AND PROCESS  
07/20/2022 **Citation**  
07/26/2022 RETURN OF SERVICE - SUCCESSFUL  
08/01/2022 ORIGINAL ANSWER OF  
*Merit Logistics, LLC*  
08/01/2022 REQUEST FOR  
*JURY DEMAND*

FILED  
7/19/2022 4 03 PM  
Mary Angie Garcia  
Bexar County District Clerk  
Accepted By: Jason Pastrano  
Bexar County - 45th District Court

cit pps / sac 4

**2022CI13502**  
**CAUSE NO. \_\_\_\_\_**

<b>BRITTANY EDWARDS</b>	<b>§</b>	<b>IN THE DISTRICT COURT</b>
	<b>§</b>	
<b>VS.</b>	<b>§</b>	<b>____ JUDICIAL DISTRICT</b>
	<b>§</b>	
<b>MERIT LOGISTICS, LLC</b>	<b>§</b>	<b>BEXAR COUNTY, TEXAS</b>

**PLAINTIFF'S ORIGINAL PETITION AND JURY DEMAND**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES, BRITTANY EDWARDS**, hereinafter referred to by name or as Plaintiff,  
and complains of **MERIT LOGISTICS, LLC**, hereinafter referred to by name or as Defendant, and  
for cause of action respectfully shows the court as follows:

**I.**  
**DISCOVERY LEVEL**

Plaintiff intends that discovery be conducted under **LEVEL 3** of **RULE 190** of the **TEXAS**  
**RULES OF CIVIL PROCEDURE**.

**II.**  
**PARTIES/SERVICE**

Plaintiff, **BRITTANY EDWARDS**, is an individual residing in Bexar County, Texas.

Defendant, **MERIT LOGISTICS, LLC**, is a corporation authorized to do business in the  
State of Texas and maybe served through Incorp Services Inc. 815 Brazos Ste. 500 Austin, Texas  
78701 or where ever they may be found.

**III.**  
**JURISDICTION AND VENUE**

Venue is proper in Bexar County, Texas pursuant to §15.002(a)(1) of the **TEXAS CIVIL**  
**PRACTICE & REMEDIES CODE** because all or a substantial part of the events or omissions giving  
rise to this lawsuit occurred in this county.

Pursuant to Rule 47 of the TEXAS RULE OF CIVIL PROCEDURE, this is a cause of action that exceeds \$1,000,000.00 in damages and is within the court's jurisdictional limits.

**IV.**  
**MISNOMER**

In the event any parties are misnamed or not included herein, it is Plaintiff BRITTANY EDWARDS's contention that such was a "misnomer" and/or such parties are/were "alter egos" of Parties name herein. Alternatively, Plaintiff contends that such "corporate veils" should be pierced to hold such Parties properly included in the interest of justice. In the event that the true Parties are misidentified, Plaintiff hereby asserts reliance upon the doctrine of misidentification.

**V.**  
**FACTS**

On or about June 14, 2022, the Plaintiff BRITTANY EDWARDS was working at her desk at the Dollar General Distribution Center, 6601 Cal Turner in San Antonio, Bexar County, Texas. While focused on her work a forklift operated by Defendant's employee's June, last name unknow, struck Plaintiff and her desk. The forklift operator June, last name unknown, was an employee of MERIT LOGISTICS, LLC and was in the course and scope of her employment.

As a result of the negligence and inattention of the forklift operator, as an agent/employee of Defendant MERIT LOGISTICS, LLC, in the course and scope of her employment, Plaintiff sustained severe injuries and damages to her body as more fully set forth below.

The occurrence made the basis of this suit, as stated above, and Plaintiff's resulting injuries and damages were proximately caused by negligent conduct of the Defendants.

**VI.**  
**CAUSE OF ACTION**

***A. Negligence***

The occurrence made the basis of this suit, reflected in Section V, and the resulting injuries and the damages of Plaintiff, BRITTANY EDWARDS, were proximately caused by the negligent conduct of the employee, June, last name unknown, who operated a forklift and loaded the Plaintiff's flatbed in a negligent manner by violating the duty which she owed the Plaintiff to exercise ordinary care in the operation of his forklift in one or more of the following respects:

- a. in failing to keep a proper lookout or such lookout which a person of ordinary prudence would have maintained under same or similar circumstances;
- b. in failing to place and utilize a spotter;
- c. in failing to keep a proper clearance while operating the forklift; and
- d. in failing to control the forklift and maintaining control of the forklift.

Each of these acts/or omissions, whether taken singularly or in any combination, constitute negligence which proximately caused the collision and injuries and other losses as specifically set forth herein, all of which Plaintiff, BRITTANY EDWARDS, suffered and which Plaintiff will continue to suffer in the future, if not for the remainder of her natural life.

**VII.**  
**CAUSE OF ACTION – MERIT LOGISTICS, LLC**

***A. RESPONDEAT SUPERIOR***

Defendant, MERIT LOGISTICS, LLC, was negligent under the theory of *respondeat superior* in that Defendant's employee June, last name unknown, was acting within the course and scope of her employment with MERIT LOGISTICS, LLC, at the time the incident occurred.

Each and all of the foregoing acts and/or omissions of the agents, servants, and/or employees for Defendant MERIT LOGISTICS, LLC, were negligent and constituted negligence

and were each and all the proximate cause of the incident which forms the basis of this suit, and were a proximate cause of Plaintiff's injuries and damages.

*B. NEGLIGENCE/HIRING/RETENTION/TRAINING/SUPERVISION*

Defendant, MERIT LOGISTICS, LLC, is also negligent in one or more of the following respects:

- a. negligent hiring;
- b. negligent forklift operator qualifications;
- c. negligent supervision and monitoring of Defendant's employee June, last name unknown;
- d. negligent retention;
- e. negligent contacting;
- f. negligent maintenance;
- g. Defendant failed to have an adequate safety program in place to ensure that an effective ongoing monitoring and training of its forklift operator occurred;

**VIII.  
DAMAGES**

The occurrence made the basis of this suit, referred to in this Petition, and Plaintiff BRITTANY EDWARDS's resulting injuries and/or damages, were proximately caused, aggravated or accelerated by the negligent conduct of the Defendant.

As a direct and proximate result of the collision and the negligent conduct of Defendant MERIT LOGISTICS, LLC, Plaintiff BRITTANY EDWARDS suffered severe bodily injuries to her neck, back, broken arm, legs, shoulders, head, traumatic brain injury, and other parts of her body generally. Plaintiff's entire body was bruised, battered and contused. The injuries are permanent in nature. The injuries have had a serious effect on the Plaintiff's health and well-being.

Some of the effects are permanent and will abide with the Plaintiff for a long time into the future, if not for her entire life. These specific injuries and their ill effects have, in turn, caused the Plaintiff's physical and mental condition to deteriorate generally and the specific injuries and ill effects alleged have cause and will, in all reasonable probability, cause the Plaintiff to suffer consequences and ill effects of the deterioration throughout her body for a long time in the future, if not for the balance of her natural life. As a further result of the nature and consequences of her injuries, Plaintiff suffered great physical and mental pain, suffering and anguish and in all reasonable probability will continue to suffer in this manner for a long time into the future, if not for the balance of her natural life.

As a further result of all of the above, Plaintiff has incurred expenses for her medical care and attention. These expenses were incurred for the necessary care and treatment of the injuries resulting from the incident complained of. The charges are reasonable and were the usual and customary charges made for such services in the county where they were incurred.

As a further result of the injuries sustained by the Plaintiff, there is a reasonable probability that she will require further medical care and attention and will incur future reasonable and necessary expenses for his medical care and attention.

Plaintiff BRITTANY EDWARDS has also suffered losses of past wages and future earning capacity.

Plaintiff BRITTANY EDWARDS has also suffered a loss of physical impairment in the past and future.

By reason of all of the above, Plaintiff BRITTANY EDWARDS has suffered losses and damages in a sum within the jurisdictional limits of the court for which she now sues.

Pursuant to RULE 47 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff BRITTANY EDWARDS seeks monetary relief OVER ONE MILLION AND 00/100 DOLLARS (\$1,000,000.00) and a demand for judgment for all the other relief to which Plaintiff deems herself justly entitled at the time of filing the suit, which, with the passage of time, may change.

**IX.**  
**INTEREST**

Plaintiff BRITTANY EDWARDS further requests both pre-judgment and post-judgment interest on all damages as allowed by law.

**X.**  
**JURY DEMAND**

In accordance with RULE 216 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff BRITTANY EDWARDS hereby makes application for a jury trial and requests that this cause be set on the court's jury docket. Plaintiff has made payment of the required jury fee.

**XI.**  
**REQUEST FOR DISCLOSURE**

Pursuant to RULE 194 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants are requested to disclose the information and material described in each section of RULE 194.

**XII.**  
**NOTICE OF SELF-AUTHENTICATION**

Pursuant to RULE 193.7 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants are hereby noticed that the production of any document in response to written discovery authenticates the document for use against that Party in any pretrial proceeding or at trial.

**XIII.**  
**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff, BRITTANY EDWARDS, requests that the Defendant MERIT LOGISTICS, LLC, be cited to appear and answer, and on final trial

thereafter, that Plaintiff have judgment against Defendant, jointly and severally, in an amount within the jurisdictional limits of the court, together with all pre-judgment and post-judgment interest as allowed by law, costs of court, and for such other and further relief to which Plaintiff may be justly entitled, at law and in equity, including, but not limited to:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Lost wages in the past;
12. Loss of future wage earning capacity;
13. Loss of use;
14. Pre-judgment interest;
15. Post-judgment interest;
16. Property damage; and
17. Exemplary damages.

Respectfully submitted,

**CARABIN & SHAW, P.C.**  
630 Broadway  
San Antonio, TX 78215  
Telephone: (210) 222-2288  
Facsimile: (210) 892-6281

By: /s/ Bernardo Gonzalez  
**BERNARDO GONZALEZ**  
State Bar No. 08124100  
[bernardogonzalez@carabinshaw.com](mailto:bernardogonzalez@carabinshaw.com)  
ATTORNEY FOR PLAINTIFF



**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

**Bernardo Gonzalez on behalf of Bernardo S. Gonzalez**

**Bar No. 8124100**

**bernardogonzalez@carabinshaw.com**

**Envelope ID: 66471029**

**Status as of 7/19/2022 4:12 PM CST**

**Associated Case Party: Brittany Edwards**

Name	BarNumber	Email	TimestampSubmitted	Status
Bernardo Gonzalez		bernardogonzalez@carabinshaw.com	7/19/2022 4:03:42 PM	SENT
Emily Oyervides		eoyervides@carabinshaw.com	7/19/2022 4:03:42 PM	SENT



2022CI13502  
Cause Number: \_\_\_\_\_  
District Court : \_\_\_\_\_

**MARY ANGIE GARCIA**  
**Bexar County District Clerk**

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**Request for Process**

**Style:** Brittany Edwards **Vs.** Merit Logistics, LLC

**Request the following process: (Please check all that Apply)**

☒ Citation ☐ Notice ☐ Temporary Restraining Order ☐ Notice of Application for Protective Order  
☐ Temporary Protective Order ☐ Precept with hearing ☐ Precept without a hearing ☐ Writ of Attachment  
☐ Writ of Habeas Corpus ☐ Writ of Garnishment ☐ Writ of Sequestration ☐ Capias ☐ Other: \_\_\_\_\_

**1.**

**Name:** Merits Logistics, LLC

**Registered Agent/By Serving:** Incorp Services Inc.

**Address** 815 Brazos Ste. 500 Austin, Texas

**Service Type:** (Check One) ☒ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable \_\_

**2.**

**Name:** \_\_\_\_\_

**Registered Agent/By Serving:** \_\_\_\_\_

**Address** \_\_\_\_\_

**Service Type:** (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable \_\_

**3.**

**Name:** \_\_\_\_\_

**Registered Agent/By Serving:** \_\_\_\_\_

**Address** \_\_\_\_\_

**Service Type:** (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable \_\_

**4.**

**Name:** \_\_\_\_\_

**Registered Agent/By Serving:** \_\_\_\_\_

**Address** \_\_\_\_\_

**Service Type:** (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door  
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable \_\_

**Title of Document/Pleading to be Attached to Process:** Plaintiff's Original Petition, Jury Demand, and Request for Disclosures

**Name of Attorney/Pro se:** Bernardo Gonzalez **Bar Number:** 08124100

**Address:** 630 Broadway **Phone Number:** (210) 222-2288  
San Antonio, Texas 78215

**Attorney for Plaintiff** XXX **Defendant** \_\_\_\_\_ **Other** \_\_\_\_\_

\*\*\*\*IF SERVICE IS NOT PICKED UP WITHIN 14 BUSINESS DAYS, SERVICE WILL BE DESTROYED\*\*\*\*

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Bernardo Gonzalez on behalf of Bernardo S. Gonzalez

Bar No. 8124100

bernardogonzalez@carabinshaw.com

Envelope ID: 66471029

Status as of 7/19/2022 4:12 PM CST

Associated Case Party: Brittany Edwards

Name	BarNumber	Email	TimestampSubmitted	Status
Bernardo Gonzalez		bernardogonzalez@carabinshaw.com	7/19/2022 4:03:42 PM	SENT
Emily Oyervides		eoyervides@carabinshaw.com	7/19/2022 4:03:42 PM	SENT

*Delivered*  
*7/21/22*

PRIVATE PROCESS

Case Number: 2022CI13502

Brittany Edwards VS Merit Logistics LLC  
 (Note: Attached Document May Contain Additional  
 Litigants)

IN THE 45TH DISTRICT COURT  
 BEXAR COUNTY, TEXAS

**CITATION**

"THE STATE OF TEXAS"

Directed To: **Merit Logistics LLC**

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00am on the Monday next following the expiration of twenty days after you were served this CITATION and PETITION a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org" Said Plaintiff's Original Petition And Jury Demand was filed on this the 19th day of July, 2022.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT on this the 20th day of July, 2022.

**BERNARDO GONZALEZ**  
**ATTORNEY FOR PLAINTIFF**  
 630 Broadway  
 San Antonio TX 78215-1822



**Mary Angie Garcia**  
 Bexar County District Clerk  
 101 W. Nueva, Suite 217  
 San Antonio, Texas 78205  
 By: /s/ Mario Hernandez  
 Mario Hernandez, Deputy

BRITTANY EDWARDS VS MERIT LOGISTICS LLC

Case Number: 2022CI13502  
 45th District Court

**Officer's Return**

I received this CITATION on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M. and ( ) executed it by delivering a copy of the CITATION with attached PLAINTIFF'S ORIGINAL PETITION AND JURY DEMAND the date of delivery endorsed on it to the defendant

\_\_\_\_\_ in person on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M.

at \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

or ( ) not executed because \_\_\_\_\_

Fees: \_\_\_\_\_ Badge/PPS #: \_\_\_\_\_ Date certification expires: \_\_\_\_\_

\_\_\_\_\_ County, Texas

BY: \_\_\_\_\_

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO THIS \_\_\_\_\_

\_\_\_\_\_  
**NOTARY PUBLIC, STATE OF TEXAS**

OR: My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_ County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_

\_\_\_\_\_  
**Declarant**

FILED  
7/19/2022 4 03 PM  
Mary Angie Garcia  
Bexar County District Clerk  
Accepted By: Jason Pastrano  
Bexar County - 45th District Court

cit pps / sac 4

**2022CI13502**  
**CAUSE NO. \_\_\_\_\_**

<b>BRITTANY EDWARDS</b>	<b>§</b>	<b>IN THE DISTRICT COURT</b>
	<b>§</b>	
<b>VS.</b>	<b>§</b>	<b>____ JUDICIAL DISTRICT</b>
	<b>§</b>	
<b>MERIT LOGISTICS, LLC</b>	<b>§</b>	<b>BEXAR COUNTY, TEXAS</b>

**PLAINTIFF'S ORIGINAL PETITION AND JURY DEMAND**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES, BRITTANY EDWARDS**, hereinafter referred to by name or as Plaintiff,  
and complains of **MERIT LOGISTICS, LLC**, hereinafter referred to by name or as Defendant, and  
for cause of action respectfully shows the court as follows:

**I.**  
**DISCOVERY LEVEL**

Plaintiff intends that discovery be conducted under **LEVEL 3** of **RULE 190** of the **TEXAS**  
**RULES OF CIVIL PROCEDURE**.

**II.**  
**PARTIES/SERVICE**

Plaintiff, **BRITTANY EDWARDS**, is an individual residing in Bexar County, Texas.

Defendant, **MERIT LOGISTICS, LLC**, is a corporation authorized to do business in the  
State of Texas and maybe served through Incorp Services Inc. 815 Brazos Ste. 500 Austin, Texas  
78701 or where ever they may be found.

**III.**  
**JURISDICTION AND VENUE**

Venue is proper in Bexar County, Texas pursuant to §15.002(a)(1) of the **TEXAS CIVIL**  
**PRACTICE & REMEDIES CODE** because all or a substantial part of the events or omissions giving  
rise to this lawsuit occurred in this county.

Pursuant to Rule 47 of the TEXAS RULE OF CIVIL PROCEDURE, this is a cause of action that exceeds \$1,000,000.00 in damages and is within the court's jurisdictional limits.

**IV.**  
**MISNOMER**

In the event any parties are misnamed or not included herein, it is Plaintiff BRITTANY EDWARDS's contention that such was a "misnomer" and/or such parties are/were "alter egos" of Parties name herein. Alternatively, Plaintiff contends that such "corporate veils" should be pierced to hold such Parties properly included in the interest of justice. In the event that the true Parties are misidentified, Plaintiff hereby asserts reliance upon the doctrine of misidentification.

**V.**  
**FACTS**

On or about June 14, 2022, the Plaintiff BRITTANY EDWARDS was working at her desk at the Dollar General Distribution Center, 6601 Cal Turner in San Antonio, Bexar County, Texas. While focused on her work a forklift operated by Defendant's employee's June, last name unknow, struck Plaintiff and her desk. The forklift operator June, last name unknown, was an employee of MERIT LOGISTICS, LLC and was in the course and scope of her employment.

As a result of the negligence and inattention of the forklift operator, as an agent/employee of Defendant MERIT LOGISTICS, LLC, in the course and scope of her employment, Plaintiff sustained severe injuries and damages to her body as more fully set forth below.

The occurrence made the basis of this suit, as stated above, and Plaintiff's resulting injuries and damages were proximately caused by negligent conduct of the Defendants.

**VI.**  
**CAUSE OF ACTION**

***A. Negligence***

The occurrence made the basis of this suit, reflected in Section V, and the resulting injuries and the damages of Plaintiff, BRITTANY EDWARDS, were proximately caused by the negligent conduct of the employee, June, last name unknown, who operated a forklift and loaded the Plaintiff's flatbed in a negligent manner by violating the duty which she owed the Plaintiff to exercise ordinary care in the operation of his forklift in one or more of the following respects:

- a. in failing to keep a proper lookout or such lookout which a person of ordinary prudence would have maintained under same or similar circumstances;
- b. in failing to place and utilize a spotter;
- c. in failing to keep a proper clearance while operating the forklift; and
- d. in failing to control the forklift and maintaining control of the forklift.

Each of these acts/or omissions, whether taken singularly or in any combination, constitute negligence which proximately caused the collision and injuries and other losses as specifically set forth herein, all of which Plaintiff, BRITTANY EDWARDS, suffered and which Plaintiff will continue to suffer in the future, if not for the remainder of her natural life.

**VII.**  
**CAUSE OF ACTION – MERIT LOGISTICS, LLC**

***A. RESPONDEAT SUPERIOR***

Defendant, MERIT LOGISTICS, LLC, was negligent under the theory of *respondeat superior* in that Defendant's employee June, last name unknown, was acting within the course and scope of her employment with MERIT LOGISTICS, LLC, at the time the incident occurred.

Each and all of the foregoing acts and/or omissions of the agents, servants, and/or employees for Defendant MERIT LOGISTICS, LLC, were negligent and constituted negligence

and were each and all the proximate cause of the incident which forms the basis of this suit, and were a proximate cause of Plaintiff's injuries and damages.

*B. NEGLIGENCE/HIRING/RETENTION/TRAINING/SUPERVISION*

Defendant, MERIT LOGISTICS, LLC, is also negligent in one or more of the following respects:

- a. negligent hiring;
- b. negligent forklift operator qualifications;
- c. negligent supervision and monitoring of Defendant's employee June, last name unknown;
- d. negligent retention;
- e. negligent contacting;
- f. negligent maintenance;
- g. Defendant failed to have an adequate safety program in place to ensure that an effective ongoing monitoring and training of its forklift operator occurred;

**VIII.  
DAMAGES**

The occurrence made the basis of this suit, referred to in this Petition, and Plaintiff BRITTANY EDWARDS's resulting injuries and/or damages, were proximately caused, aggravated or accelerated by the negligent conduct of the Defendant.

As a direct and proximate result of the collision and the negligent conduct of Defendant MERIT LOGISTICS, LLC, Plaintiff BRITTANY EDWARDS suffered severe bodily injuries to her neck, back, broken arm, legs, shoulders, head, traumatic brain injury, and other parts of her body generally. Plaintiff's entire body was bruised, battered and contused. The injuries are permanent in nature. The injuries have had a serious effect on the Plaintiff's health and well-being.



Some of the effects are permanent and will abide with the Plaintiff for a long time into the future, if not for her entire life. These specific injuries and their ill effects have, in turn, caused the Plaintiff's physical and mental condition to deteriorate generally and the specific injuries and ill effects alleged have cause and will, in all reasonable probability, cause the Plaintiff to suffer consequences and ill effects of the deterioration throughout her body for a long time in the future, if not for the balance of her natural life. As a further result of the nature and consequences of her injuries, Plaintiff suffered great physical and mental pain, suffering and anguish and in all reasonable probability will continue to suffer in this manner for a long time into the future, if not for the balance of her natural life.

As a further result of all of the above, Plaintiff has incurred expenses for her medical care and attention. These expenses were incurred for the necessary care and treatment of the injuries resulting from the incident complained of. The charges are reasonable and were the usual and customary charges made for such services in the county where they were incurred.

As a further result of the injuries sustained by the Plaintiff, there is a reasonable probability that she will require further medical care and attention and will incur future reasonable and necessary expenses for his medical care and attention.

Plaintiff BRITTANY EDWARDS has also suffered losses of past wages and future earning capacity.

Plaintiff BRITTANY EDWARDS has also suffered a loss of physical impairment in the past and future.

By reason of all of the above, Plaintiff BRITTANY EDWARDS has suffered losses and damages in a sum within the jurisdictional limits of the court for which she now sues.

Pursuant to RULE 47 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff BRITTANY EDWARDS seeks monetary relief OVER ONE MILLION AND 00/100 DOLLARS (\$1,000,000.00) and a demand for judgment for all the other relief to which Plaintiff deems herself justly entitled at the time of filing the suit, which, with the passage of time, may change.

**IX.**  
**INTEREST**

Plaintiff BRITTANY EDWARDS further requests both pre-judgment and post-judgment interest on all damages as allowed by law.

**X.**  
**JURY DEMAND**

In accordance with RULE 216 of the TEXAS RULES OF CIVIL PROCEDURE, Plaintiff BRITTANY EDWARDS hereby makes application for a jury trial and requests that this cause be set on the court's jury docket. Plaintiff has made payment of the required jury fee.

**XI.**  
**REQUEST FOR DISCLOSURE**

Pursuant to RULE 194 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants are requested to disclose the information and material described in each section of RULE 194.

**XII.**  
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Pursuant to RULE 193.7 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants are hereby noticed that the production of any document in response to written discovery authenticates the document for use against that Party in any pretrial proceeding or at trial.

**XIII.**  
**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff, BRITTANY EDWARDS, requests that the Defendant MERIT LOGISTICS, LLC, be cited to appear and answer, and on final trial

thereafter, that Plaintiff have judgment against Defendant, jointly and severally, in an amount within the jurisdictional limits of the court, together with all pre-judgment and post-judgment interest as allowed by law, costs of court, and for such other and further relief to which Plaintiff may be justly entitled, at law and in equity, including, but not limited to:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;
7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Lost wages in the past;
12. Loss of future wage earning capacity;
13. Loss of use;
14. Pre-judgment interest;
15. Post-judgment interest;
16. Property damage; and
17. Exemplary damages.

Respectfully submitted,

**CARABIN & SHAW, P.C.**  
630 Broadway  
San Antonio, TX 78215  
Telephone: (210) 222-2288  
Facsimile: (210) 892-6281

By: /s/ Bernardo Gonzalez  
**BERNARDO GONZALEZ**  
State Bar No. 08124100  
bernardogonzalez@carabinshaw.com  
ATTORNEY FOR PLAINTIFF

**Automated Certificate of eService**

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Bernardo Gonzalez on behalf of Bernardo S. Gonzalez

Bar No. 8124100

bernardogonzalez@carabinshaw.com

Envelope ID: 66471029

Status as of 7/19/2022 4:12 PM CST

Associated Case Party: Brittany Edwards

Name	BarNumber	Email	TimestampSubmitted	Status
Bernardo Gonzalez		bernardogonzalez@carabinshaw.com	7/19/2022 4:03:42 PM	SENT
Emily Oyervides		eoyervides@carabinshaw.com	7/19/2022 4:03:42 PM	SENT

FILED 080122 JAG:pcc: 7390-006 ANS/JD  
8/1/2022 11:56 AM  
Mary Angie Garcia  
Bexar County District Clerk  
Accepted By: Madison Gamache  
Bexar County - 45th District Court

CAUSE NO. 2022CI13502

BRITTANY EDWARDS	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
vs.	§	45 <sup>TH</sup> JUDICIAL DISTRICT
	§	
MERIT LOGISTICS, LLC	§	
	§	
Defendant.	§	BEXAR COUNTY, TEXAS

**DEFENDANT'S ORIGINAL ANSWER**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES **MERIT LOGISTICS, LLC**, Defendant in the above-entitled and numbered cause, and files this ORIGINAL ANSWER replying to PLAINTIFF'S ORIGINAL PETITION and for same says:

**GENERAL DENIAL**

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Defendant enters a general denial and demands that Plaintiff prove her allegations by a preponderance of the evidence.

**NOTICE OF CONSENT TO ELECTRONIC SERVICE**


Defendant consents to electronic service of pleadings, motions, orders, notices, and discovery in this cause **only** when service is completed through eFileTexas.gov, the state-authorized electronic filing manager.

**PRAYER**

WHEREFORE, Defendant prays that Plaintiff recover nothing from it by way of this suit; that Defendant recover costs of court, and for such other and further relief, both at law and in equity, to which this Defendant may be justly entitled.

Respectfully submitted,

**BROCK ♦ GUERRA**  
**STRANDMO DIMALINE JONES, P.C.**  
17339 Redland Road  
San Antonio, Texas 78247-2304  
(210) 979-0100 Telephone  
(210) 979-7810 Facsimile

BY:   
\_\_\_\_\_  
JOHN A. GUERRA  
State Bar No. 08576180  
Email: [jguerra@brock.law](mailto:jguerra@brock.law)  
CELIA E. GUERRA  
State Bar No. 24069756  
Email: [cguerra@brock.law](mailto:cguerra@brock.law)


**ATTORNEYS FOR DEFENDANT**  
**MERIT LOGISTICS, LLC**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing has been served in accordance with the Texas Rules of Civil Procedure on this 1st day of August 2022, to:

Bernardo Gonzalez  
Carabin & Shaw, P.C.  
630 Broadway  
San Antonio, TX 78215

Email: [bernardogonzalez@carabinshaw.com](mailto:bernardogonzalez@carabinshaw.com)

  
\_\_\_\_\_  
JOHN A. GUERRA  
CELIA E. GUERRA

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Julie Forner on behalf of Celia Garcia

Bar No. 24069756

jforner@brock.law

Envelope ID: 66838438

Status as of 8/1/2022 2:43 PM CST

Associated Case Party: Brittany Edwards

Name	BarNumber	Email	TimestampSubmitted	Status
Emily Oyervides		eoyervides@carabinshaw.com	8/1/2022 11:56:41 AM	SENT
Bernardo Gonzalez		bernardogonzalez@carabinshaw.com	8/1/2022 11:56:41 AM	SENT

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Status as of 8/1/2022 2:43 PM CST

**Case Contacts**

Name	BarNumber	Email	TimestampSubmitted	Status
Celia E.Garcia		cgarciab@brock.law	8/1/2022 11:56:41 AM	SENT
John A.Guerra		jguerra@brock.law	8/1/2022 11:56:41 AM	SENT



CAUSE NO. 2022CI13502

BRITTANY EDWARDS

Plaintiff,

vs.

MERIT LOGISTICS, LLC

Defendant.

§  
§  
§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT

45<sup>TH</sup> JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

**DEMAND FOR JURY**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES **MERIT LOGISTICS, LLC**, Defendant in the above-entitled and numbered cause, and makes this DEMAND FOR JURY TRIAL.

Respectfully submitted,

**BROCK ♦ GUERRA**  
**STRANDMO DIMALINE JONES, P.C.**  
17339 Redland Road  
San Antonio, Texas 78247-2304  
(210) 979-0100 Telephone  
(210) 979-7810 Facsimile

BY: \_\_\_\_\_



JOHN A. GUERRA  
State Bar No. 08576180  
Email: [jguerra@brock.law](mailto:jguerra@brock.law)  
CELIA E. GUERRA  
State Bar No. 24069756  
Email: [cguerra@brock.law](mailto:cguerra@brock.law)

**ATTORNEYS FOR DEFENDANT**  
**MERIT LOGISTICS, LLC**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing has been served in accordance with the Texas Rules of Civil Procedure on this 1<sup>st</sup> day of August 2022, to:

Bernardo Gonzalez  
Carabin & Shaw, P.C.  
630 Broadway  
San Antonio, TX 78215

Email: [bernardogonzalez@carabinshaw.com](mailto:bernardogonzalez@carabinshaw.com)



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JOHN A. GUERRA  
CELIA E. GUERRA

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